

Agricultural Marketing Service, USDA

§911.111

§911.67 Duration of immunities.

The benefits, privileges, and immunities conferred upon any person by virtue of this part shall cease upon its termination, except with respect to acts done under and during the existence of this part.

§911.68 Agents.

The Secretary may, by designation in writing, name any officer or employee of the United States, or name any agency or division in the United States Department of Agriculture to act as his agent or representative in connection with any of the provisions of this part.

§911.69 Derogation.

Nothing contained in this part is, or shall be construed to be, in derogation or in modification of the rights of the Secretary or of the United States (a) to exercise any powers granted by the act or otherwise, or (b) in accordance with such powers, to act in the premises whenever such action is deemed advisable.

§911.70 Personal liability.

No member or alternate member of the committee and no employee or agent of the committee shall be held personally responsible, either individually or jointly with others, in any way whatsoever, to any person for errors in judgment, mistakes, or other acts, either of commission or omission, as such member, alternate, employee, or agent, except for acts of dishonesty, willful misconduct, or gross negligence.

§911.71 Separability.

If any provision of this part is declared invalid or the applicability thereof to any person, circumstance, or thing is held invalid, the validity of the remainder of this part or the applicability thereof to any other person, circumstance, or thing shall not be affected thereby.

Subpart—Rules and Regulations

§911.110 Exemption certificates.

Exemption certificates under §911.50 shall be issued by the Florida Lime Ad-

ministrative Committee pursuant to the following rules and regulations:

(a) The grower must make application for exemption on a form supplied by the committee. A separate application must be made for each variety or classification of limes and shall contain the following:

(1) Name and mailing address of the applicant;

(2) Location (from established landmarks) of grove from which limes are to be shipped pursuant to the requested exemption certificate;

(3) Regulation from which exemption is requested;

(4) The reasons for requesting exemption from such regulation;

(5) Date when it is proposed to ship the limes for which exemption is requested; and

(6) Certification as to the correctness of the information contained in the application.

(b) Upon receipt of an application for exemption certificate, the Florida Lime Administrative Committee shall check all information furnished by the applicant and shall conduct such investigations concerning the grade, size, and quality of the applicant's limes as may be necessary to determine whether the application shall be approved or denied.

(c) Approval of the application shall be evidenced by the issuance to the applicant, by the Manager of the Florida Lime Administrative Committee on its behalf, of one or more exemption certificates which shall authorize the handling of such quantity of the applicant's limes as may be necessary to accomplish the purposes of §911.50.

(d) If the application is denied, the applicant shall be informed of such denial by written notice stating the reasons therefor.

[20 FR 6018, Aug. 18, 1955. Redesignated at 26 FR 12751, Dec. 30, 1961, and amended at 43 FR 39321, Sept. 5, 1978]

EFFECTIVE DATE NOTE: At 67 FR 6842, Feb. 14, 2002, §911.110 was suspended effective Feb. 19, 2002 through Feb. 24, 2003.

§911.111 Pack-out reports.

(a) Each handler shall, at the end of each day's operation, report to the committee the percent of that day's

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pack-out in the following five size categories:

- (1) Sizes 28 and 36,
- (2) Size 42,
- (3) Size 48,
- (4) Size 54, and
- (5) Sizes 63 and 72.

(b) Each handler shall, at the end of each day's operation, report to the committee the number of containers of limes sold and delivered in the State of Florida in the following containers: (1) $\frac{1}{8}$ Bushel, (2) $\frac{3}{8}$ Bushel, and (3) $\frac{1}{2}$ Bushel. Upon request by the committee, such reports shall be confirmed in writing on a weekly basis on a form prescribed by the committee.

[52 FR 24134, June 29, 1987, as amended at 53 FR 1743, Jan. 22, 1988]

EFFECTIVE DATE NOTE: At 61 FR 17552, Apr. 22, 1996, §911.111 was suspended indefinitely.

§911.115 Nomination procedure.

(a) Any grower who resides outside the production area and desires to be represented at a particular nomination meeting by a duly authorized agent and to participate through such agent in the nomination and election of nominees for grower members and alternate members to fill positions on the Florida Lime Administrative Committee, as provided in §911.22(b)(2), shall submit to the committee, prior to such meeting but not later than January 20, a written statement containing the following:

- (1) Name of grower;
- (2) Mailing address;
- (3) Location of each lime grove (either legal or from established landmarks);
- (4) Number of lime trees owned;
- (5) Number of 55-pound units of limes marketed to date during the current season;
- (6) Name of the handler of the fruit marketed;
- (7) Authorization, including the name and address, of the person who is to represent said grower at the nomination meeting.

(b) Any grower who has not filed the statement as prescribed in paragraph (a) of this section must be present at the nomination meeting and cast his own vote for it to be counted in connection with the nomination and election of nominees.

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(c) Notwithstanding that a grower has authorized an agent to cast his vote as specified in paragraph (a) of this section, such grower may appear at the nomination meeting and cast his vote in person to the exclusion of such agent.

[23 FR 8974, Nov. 19, 1958. Redesignated at 26 FR 12751, Dec. 30, 1961]

§911.120 Handler registration.

(a) Each handler who desires to handle limes pursuant to the exemptions in §911.10 shall, prior thereto, register with the committee. Such registration shall be by application for registration filed with the Florida Lime Administrative Committee on a form, prescribed and furnished by the committee, which shall contain the following information:

- (1) Business name of applicant;
- (2) Applicant's business location and mailing address;
- (3) Type of business organization (individual, corporation, partnership, etc.);
- (4) If other than an individual, the names and addresses of officers, partners, and principal stockholders or others having financial interest in the business;
- (5) Nature of business (Handler trucker, wholesaler, etc.);
- (6) Number of years engaged in lime business;
- (7) Estimated seasonal volume of limes handled;
- (8) Name and address of three references, one of which shall be a bank;
- (9) Certification as to accuracy of information furnished; and
- (10) An agreement to comply with the provisions of this part.

(b) When the committee receives an application for registration, it shall issue the applicant a certificate of registration, if it determines based upon an investigation that the applicant may be expected to handle limes in accordance with this part.

(c) If it is determined from the available information that the applicant is not entitled to be registered with the committee, he shall be so informed by written notice stating why the certificate of registration was not issued.

(d) Any certificate of registration issued to a handler pursuant to this